

HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

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W.P.No.7488 of 1999

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Dated 4th day of April, 2007

Between:

Pandla Chandraiah
and nine others
Petitioners

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And

The State of A.P., rep.
by Secretary to Govt., Revenue
Dept., Secretariat, Hyderabad
and two others
Respondents

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ORDER:

This writ petition is filed seeking a mandamus to declare the action of the 3rd respondent in directing the petitioners to surrender their lands assigned to them in S.Nos.11, 161 and 194 situated at Badepalli village, as arbitrary and illegal.

The brief facts of the case are that the petitioners were assigned various extents of lands in S.Nos.11, 161 and 194 situated in Badepalli village, Jedcharla Mandal, Mahabubnagar District during the years from 1957 to 1960 and since then they have been in possession and enjoyment of them. As per the conditions of the assignment, they put their lands under cultivation and raised crops. Now, their grievance is that the 3rd respondent issued final show cause notices dated 7.10.1998, 4.2.1999, 9.3.1990, etc. directing them to vacate the lands in question without affording them any opportunity to offer their explanation to the notices.

Heard the learned counsel for both the parties.

Admittedly, they are only show cause notices proposing to acquire the lands in question for public purpose. When the petitioners were issued show cause notices, they should be given an opportunity to offer their explanation to them. Hence, this Court deems it appropriate to direct the 3rd respondent-Mandal Revenue Officer to afford an opportunity to the petitioners to offer their explanation to the show cause notices within a period of six weeks from the date of

receipt of a copy of this order and the petitioners can put forth their objections before the 3rd respondent-Mandal Revenue Officer, who after considering their objections if any, shall pass appropriate orders in accordance with law. Having regard to the fact that on 8.12.2000, this Court ordered status quo, the same shall be maintained pending consideration of the matter.

With the above direction, the writ petition is disposed of. No costs.

04.04.2007

Note: Furnish copy in one week.

B/o
bcj